



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/191,132	11/13/1998	WALID AHMED	3-39-39-6-13	8292

7590 12/05/2001

RYAN & MASON
90 FOREST AVENUE
LOCUST VALLEY, NY 11560

EXAMINER

HOM, SHICK C

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 12/05/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/191,132

Applicant(s)

AHMED ET AL.

Examiner

Shick C Horn

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 1998.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit:

DETAILED ACTION

Drawings

1. The drawings submitted with this application were declared informal by the applicant. Accordingly they have not been reviewed by a draftsman at this time. When formal drawings are submitted, the draftsman will perform a review.

Direct any inquiries concerning drawing review to the Drawing Review Branch (703) 305-8404.

2. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

3. The drawings are objected to because in Fig. 1 insert label ---mobile communications system 100--- as recited in page 9 line 13. Correction is required.

Art Unit:

Specification

4. The disclosure is objected to because of the following informalities: in page 1 lines 9 and 10 which recite concurrently filed U.S. patent applications, update status and provide application nos. if known.

Appropriate correction is required.

5. The attempt to incorporate subject matter into this application by reference to U.S. Serial nos. 09/150,403 and 09/074,582 is improper because no copies of the references are found.

6. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

7. Claim 10 is objected to because of the following informalities: in claim 10 line 3 after the word "flow" insert --
-identifier---, for clarity. Appropriate correction is required.

Art Unit:

Claim Rejections - 35 USC § 112

8. Claims 2, 7, and 11 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 2 and 7 lines 3 and 4 which recite "the new address" and "the new network node" are not clear as to whether they're reciting ---said another address--- and ---said another network node---, of lines 1 and 2, respectively. In claim 11 line 1 which recite "Claim 1" is not clear as to whether it is reciting ---Claim 9---.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

10. Claims 1, 2, 6, 7, 12, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Okanoue et al.

Art Unit:

Okanoue et al. disclose all the subject matter now claimed. Note col. 7 lines 4-18 which recite a network having mobile stations that are managed by a home agent, i.e. network node, which belongs to a sub-network whereby the mobile stations are located in the sub-network and are connected to the sub-network by radio wherein each of the mobile stations has an specific identifier i.e. logical address, which identify each mobile station regardless of its location and a location address which is representative of the present location wherein a combination of the specific identifier and the location address is notified to each of the home agents clearly anticipate the method for use in a mobile user station communications system including the step of assigning an address to the mobile station, the address being a combination of the identifier of the mobile user station and an identifier of the network node in the communications system as in claims 1, 6, 12, and 16. Further, col. 5 lines 19-28 which recite the sub-networks having nodes for supporting or assisting a mobile host whereby the nodes called agents and the mobile host being related to the node located in the sub-network are called a home network; a specific node is called a home agent for the specific mobile host which has a specific identifier or a home address assigned by the network wherein the home agent manages

Art Unit:

the mobile host by the use of the specific identifier clearly anticipate the mobile user station, the network node, and the assigned address of the mobile user station being a combination of the station identifier and the network node identifier as in claims 1, 6, 12, and 16. Col. 5 lines 28-38 which recite the mobile host being able to freely travel among sub-networks and if the mobile host travels from the sub-network 302 to the sub-network 303, as shown in Fig. 3, the node 306 being called a foreign agent for the mobile host 307 sends location information 308 and 309 which are representative of the present location of the mobile host 307 to the foreign agent 306 and the home agent 304, respectively, whereby the foreign agent 306 and the home agent 304 memorize the location information 308 and 309, respectively, to support the mobile host 307 clearly anticipate the step of assigning another address to the mobile user station when the station becomes associated with another network node as in claims 2 and 7.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 3-5, 8-11, 13-15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okanoué et al. as applied to claims 1, 6, 12, and 16 above, and further in view of Takagi et al.

Okanoué et al. did not teach the identifier of the mobile user station being an medium access control address of the

Art Unit:

station, the address of the mobile user station includes an application flow identifier, the address of the mobile user station being a concatenation of the identifiers of the network node, the mobile user station, and the application flow as in claims 3-5, 8-10, 14, 15, and 18-19, respectively. Okanou et al. did not recite the interface identifier being a data link address as in claims 11, 13, 17, and 20.

Takagi et al. teach that it is known to use an IP datagram for which a set of [source IP address, destination IP address, flow ID] as an entry for the TCP layer relay or the application layer as set forth at col. 13 line 56 to col. 14 line 15 in the field of digital and multiplex communications for the purpose of providing reliable communications using transport layer connection which clearly anticipate the address of the mobile user station includes an application flow identifier and the address of the mobile user station being a concatenation of the identifiers of the network node, the mobile user station, and the application flow as in claims 4-5, 9-10, 14-15, and 18-19. Col. 27 lines 35-45 which recite the IP datagram to be transmitted by frames having a destination MAC address being multicast by frames having a multicast destination MAC address clearly anticipate the identifier of the mobile user station being an medium access control address of the station and the

Art Unit:

interface identifier being a data link address as in claims 3, 8, 11, 13, 17, and 20.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the identifier of the mobile user station being an medium access control address of the station, the address of the mobile user station includes an application flow identifier, the address of the mobile user station being a concatenation of the identifiers of the network node, the mobile user station, and the application flow; and the interface identifier being a data link address as taught by Takagi et al. to the system of Okanou et al. because Takagi et al. teach the desirable advantage of providing reliable communications using transport layer connection and said reliable communications being desirable to achieve more efficient system operation in Okanou et al.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lyles et al. disclose a method for providing integrated packet services over a shared-media network.

Meier et al. disclose a radio frequency local area network.

Art Unit:

14. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal
Park II, 2121 Crystal Drive, Arlington. VA., Sixth
Floor (2600 Receptionist at (703) 305-4750).

Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Shick Hom
whose telephone number is (703) 305-4742. The examiner's regular
work schedule is Monday to Friday from 8:00 am to 5:30 pm EST and
out of office on alternate Friday.

If attempts to reach the examiner by telephone are
unsuccessful, the examiner's supervisor, Douglas Olms, can be
reached at (703) 305-4703.

Application/Control Number: 09/191,132

Page 11

Art Unit:

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



DANTON
PRIMARY EXAMINER

SH

November 26, 2001